

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

ZHANNA CHIZHIK, *
Administratrix of the Estate *
of Grigory Chizhik, * C.A. NO.: 04-10106-JLT
Plaintiff *
*
v. *
*
SEA HUNT, INC., TROPICLAND *
MARINE AND TACKLE, INC., and *
GREGORY ZILBERMAN, *
Defendants *

**PLAINTIFF ZHANNA CHIZHIK'S ASSENTED TO MOTION TO
EXTEND DEADLINE FOR DISCOVERY AND FILING MOTIONS**

Plaintiff Zhanna Chizhik hereby respectfully moves this Court to extend the deadline for the parties to conduct all factual depositions (non-expert witnesses) for an additional forty-five (45) days or until June 2, 2005. As grounds for this motion, the Plaintiff states the deadline for all factual depositions (non-expert) is April 19, 2005. However, Zhanna Chizhik is presently outside the jurisdiction of the state. Furthermore, Plaintiff's counsel is scheduled for in-patient surgery on April 12, 2005, and counsel cannot readily determine his recovery time. Lastly, Defendant Sea Hunt's counsel is out of the state on business from April 17-22, 2005, and has trials commencing on April 29, 2005 and May 2, 2005 respectively.

Plaintiff's request to extend the discovery deadline is only in order for the parties to conduct all factual depositions (non-expert witnesses). By this motion, the Plaintiff is not requesting to extend the remaining deadlines as set forth in the Court's Order [Docket #42] granting the previous Motion for Extension of Time to Complete Discovery.

In further support of this motion, the undersigned attorney states that he has discussed the motion with counsel for the Co-Defendants and has determined that they assent to this motion.¹

WHEREFORE, this Plaintiff moves this Court to extend the deadline for the parties to conduct all factual depositions (non-expert witnesses) until June 2, 2005 as stated above.

The Plaintiff,
Zhanna Chizhik, Administratrix
of the Estate of Grigory Chizhik
By her attorneys,

/s/ David B. Kaplan
David B. Kaplan, Essq., BBO#258540
THE KAPLAN/BOND GROUP
88 Black Falcon Avenue, Suite 301
Boston, MA 02210
(617) 261-0080

Dated: April 6, 2005

The Defendant,
SEA HUNT BOATS, INC.

/s/ Rebecca L. Andrews (with Permission)
William P. Breen, Esq., BBO#558768
Rebecca L. Andrews, Esq., BBO#644846
Murphy, Hesse, Toomey & Lehane, LLP
Crown Colony Plaza
300 Crown Colony Drive, Suite 410
PO Box 9126
Quincy, MA 02269
(617) 479-5000

The Defendant,
TROPICLAND MARINE and TACKLE, INC.

/s/ James T Scamby (with Permission)
James T. Scamby, Esq., BBO#629144
Tucker, Heifitz & Saltzman
Three School Street
Boston, MA 02108
(617) 557-9696

¹ On March 30, 2005, a Stipulation of Dismissal With Prejudice as to All Claims Against Gregory Zilberman **Only**, was filed with the permission of all counsel. Therefore, the assent of Zilberman's counsel is not necessary.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1

The undersigned attorney certifies that prior to filing the above motion, he conferred in good faith with all counsel to narrow the issues raised by this motion. The undersigned attorney has determined that all counsel assents to the present motion.

/s/ David B. Kaplan
DAVID B. KAPLAN